

105TH CONGRESS
1ST SESSION

H. R. 871

To provide rental assistance under section 8 of the United States Housing Act of 1937 for victims of domestic violence to enable such victims to relocate.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 1997

Mr. FRANK of Massachusetts (for himself, Mr. LIPINSKI, Ms. JACKSON-LEE of Texas, Mr. CONYERS, Ms. NORTON, Mr. LaFALCE, Mr. OBERSTAR, Ms. BROWN of Florida, Mr. JEFFERSON, Mr. FROST, Ms. PELOSI, Mr. DEFazio, and Ms. SLAUGHTER) introduced the following bill; which was referred to the Committee on Banking and Financial Services

A BILL

To provide rental assistance under section 8 of the United States Housing Act of 1937 for victims of domestic violence to enable such victims to relocate.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Domestic Violence Vic-

5 tims Housing Act”.

6 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

7 The budget authority under section 5(c) of the

8 United States Housing Act of 1937 for assistance under

1 subsections (b) and (o) of section 8 of such Act is author-
2 ized to be increased by \$50,000,000 on or after October
3 1, 1997 and by such sums as may be necessary on or after
4 October 1, 1998.

5 **SEC. 3. USE OF AMOUNTS FOR HOUSING ASSISTANCE FOR**
6 **VICTIMS OF DOMESTIC VIOLENCE.**

7 (a) IN GENERAL.—Amounts available pursuant to
8 section 2 shall be made available by the Secretary of Hous-
9 ing and Urban Development only to public housing agen-
10 cies and qualified nonprofit organizations only for use for
11 providing tenant-based rental assistance on behalf of fami-
12 lies victimized by domestic violence (as such term is de-
13 fined in section 4 of this Act) who have left or are leaving
14 a residence as a result of the domestic violence.

15 (b) DETERMINATION.—For purposes of subsection
16 (a), a family victimized by domestic violence shall be con-
17 sidered to have left or to be leaving a residence as a result
18 of domestic violence if the public housing agency or quali-
19 fied nonprofit organization providing rental assistance
20 under this Act determines that the member of the family
21 who was subject to the domestic violence reasonably be-
22 lieves that relocation from such residence will assist in
23 avoiding future domestic violence against such member or
24 another member of the family.

1 (c) ALLOCATION.—Amounts made available pursuant
2 to section 2 shall be allocated by the Secretary on the basis
3 of a national competition to the public housing agencies
4 and qualified nonprofit organizations that submit applica-
5 tions to the Secretary that best demonstrate a need for
6 such assistance and the ability to undertake and carry out
7 a program under this Act, as the Secretary shall deter-
8 mine.

9 **SEC. 4. DEFINITIONS RELATING TO DOMESTIC VIOLENCE.**

10 For purposes of this Act, the following definitions
11 shall apply:

12 (1) ABUSE.—The term “abuse” includes any
13 act that constitutes or causes, any attempt to com-
14 mit, or any threat to commit—

15 (A) any bodily injury or physical illness,
16 including placing, by physical menace, another
17 in fear of imminent serious bodily injury;

18 (B) any rape, sexual assault, or involun-
19 tary sexual activity, or any sexual activity with
20 a dependent child;

21 (C) the infliction of false imprisonment or
22 other nonconsensual restraints on liberty of
23 movement;

24 (D) deprivation of medical care, housing,
25 food, or other necessities of life; or

1 (E) mental or psychological abuse, includ-
2 ing repeated or severe humiliation, intimidation,
3 criticism, acts designed to induce terror, or
4 verbal abuse.

5 (2) DOMESTIC VIOLENCE.—The term “domestic
6 violence” means abuse that is committed against an
7 individual by—

8 (A) a spouse or former spouse of the indi-
9 vidual;

10 (B) an individual who is the biological par-
11 ent or stepparent of a child of the individual
12 subject to the abuse, who adopted such child, or
13 who is a legal guardian to such a child;

14 (C) an individual with whom the individual
15 subject to the abuse is or was cohabiting;

16 (D) a current or former romantic, inti-
17 mate, or sexual partner of the individual; or

18 (E) an individual from whom the individ-
19 ual subject to the abuse would be eligible for
20 protection under the domestic violence, protec-
21 tion order, or family laws of the applicable ju-
22 risdiction.

23 (3) FAMILY VICTIMIZED BY DOMESTIC VIO-
24 LENCE.—

1 (A) IN GENERAL.—The term “family vic-
2 timized by domestic violence” means a family or
3 household that includes an individual who has
4 been determined under subparagraph (B) to
5 have been subject to domestic violence, but does
6 not include any individual described in para-
7 graph (3) who committed the domestic violence.
8 The term includes any such family or household
9 in which only a minor or minors are the individ-
10 ual or individuals who was or were subject to
11 domestic violence only if such family or house-
12 hold also includes a parent, stepparent, legal
13 guardian, or other responsible caretaker for the
14 child.

15 (B) DETERMINATION THAT FAMILY OR IN-
16 DIVIDUAL WAS SUBJECT TO DOMESTIC VIO-
17 LENCE.—For purposes of subparagraph (A), a
18 determination under this subparagraph is a de-
19 termination that domestic violence has been
20 committed, which is made by any agency or of-
21 ficial of a State or unit of general local govern-
22 ment (including a public housing agency) based
23 upon—

1 (i) information provided by any medi-
2 cal, legal, counseling, or other clinic, shel-
3 ter, or other program or entity licensed,
4 recognized, or authorized by the State or
5 unit of general local government to provide
6 services to victims of domestic violence;

7 (ii) information provided by any agen-
8 cy of the State or unit of general local gov-
9 ernment that provides or administrates the
10 provision of social, medical, legal, or health
11 services;

12 (iii) information provided by any cler-
13 gy;

14 (iv) information provided by any hos-
15 pital, clinic, medical facility, or doctor li-
16 censed or authorized by the State or unit
17 of general local government to provide
18 medical services;

19 (v) a petition or complaint filed in a
20 court or law or documents or records of ac-
21 tion of any court or law enforcement agen-
22 cy, including any record of any protection
23 order, injunction, or temporary or final
24 order issued by civil or criminal courts or
25 any police report; or

1 (vi) any other reliable evidence that
2 domestic violence has occurred.

3 **SEC. 5. OTHER DEFINITIONS.**

4 For purposes of this Act, the following definitions
5 shall apply:

6 (1) PUBLIC HOUSING AGENCY.—The term
7 “public housing agency” has the meaning given the
8 term in section 3(b) of the United States Housing
9 Act of 1937 (42 U.S.C. 1437a(b)).

10 (2) QUALIFIED NONPROFIT ORGANIZATION.—
11 The term “qualified nonprofit organization” means
12 a private organization that—

13 (A) is organized, or has as one of its pri-
14 mary purposes, to provide shelter or transi-
15 tional housing for victims of domestic violence;

16 (B) is organized under State or local laws;

17 (C) has no part of its net earnings inuring
18 to the benefit of any member, shareholder,
19 founder, contributor, or individual; and

20 (D) is approved by the Secretary as to fi-
21 nancial responsibility.

22 (3) SECRETARY.—The term “Secretary” means
23 the Secretary of Housing and Urban Development.

1 (4) STATE.—The term “State” means the
2 States of the United States, the District of Colum-
3 bia, the Commonwealth of Puerto Rico, the Com-
4 monwealth of the Northern Mariana Islands, Guam,
5 the Virgin Islands, American Samoa, and any other
6 territory or possession of the United States.

7 (5) UNIT OF GENERAL LOCAL GOVERNMENT.—
8 The term “unit of general local government” has the
9 meaning given the term in section 102(a) of the
10 Housing and Community Development Act of 1974
11 (42 U.S.C. 5302(a)).

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